DETAILED ACTION

1.   This Office Action incorporates an <u>Examiner's Amendment</u> and <u>Reasons For
Allowance</u>.

2.   The Applicant's response to the last Office Action, filed 7/31/2009 has been
entered and made of record.

3.   The application has pending claim(s) 1-6, 8 and 10-12.

EXAMINER'S AMENDMENT

4.   An examiner's amendment to the record appears below. Should the changes
and/or additions be unacceptable to applicant, an amendment may be filed as provided
by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be
submitted no later than the payment of the issue fee.

      Authorization for this examiner's amendment was given in a telephone interview
with Mr. Justin D. Petruzzelli (Reg. No. 52,118) on November 4, 2009.

      <u>The application has been amended as follows</u>:

      For the claims on pages 11-13 of the Applicant's Appeal Brief dated 7/31/2009:

      1. Please further amend claims 1 and 12 as shown by the attached pages.

Claim 1: (Currently Amended) A method for improving scene classification of a
sequence of digital images comprising the steps of:

(a) providing a sequence of images captured in temporal succession, at least two pairs of consecutive images in the sequence of images having different elapsed times between their capture;

(b) classifying, with a programmed digital computer, each of the images individually based on information contained in the individual image to generate an initial content-based image classification for each of the images;

(c) generating, with a programmed digital computer, a final image classification for each image based at least on the respective initial content-based image classification and a pre-determined temporal context model that considers at least the temporal succession of the sequence of images; and

(d) storing the final image classifications in a computer readable storage ~~medium~~ medium,

wherein the classifying of step (b), and the final image classification classify images into one of a predetermined number of classes M, and

wherein M is greater than or equal to two.

Claim 12: (Currently Amended) The method as claimed in claim 1 wherein the pre-determined temporal context model in step (c) is dependent on elapsed time between consecutive images in the sequence, such that different elapsed times between a particular pair of consecutive images produces a different ~~revised~~ final image classification for a later-captured image of the particular pair of consecutive images.

REASONS FOR ALLOWANCE

5.   The following is an examiner's statement of reasons for allowance:

Claims 1-6, 8 and 10-12 (now renumbered as claims 1-10, for issue) are allowed.

Independent claim 1 (now renumbered as claim 1, for issue) respectively recites
the limitations of: (b) classifying, with a programmed digital computer, each of the
images individually based on information contained in the individual image to generate
an initial content-based image classification for each of the images; (c) generating, with
a programmed digital computer, a final image classification for each image based at
least on the respective initial content-based image classification and a pre-determined
temporal context model that considers at least the temporal succession of the sequence
of images; and wherein the classifying of step (b), and the final image classification
classify images into one of a predetermined number of classes M, and wherein M is
greater than or equal to two.

The combination of these features as cited in the claims in combination with the
other limitations of the claims are neither disclosed nor suggested by the prior art of
record.

The closest reference of Loui ("Automatic Image Event Segmentation and Quality
Screening for Albuming Applications" – IEEE – July 2000) discloses a system of
clustering a sequence of images into events and then subdividing them into groups of
images with similar content. However, Loui does not teach the limitations cited above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernard Krasnic whose telephone number is (571) 270-1357. The examiner can normally be reached on Mon-Thur 8:00am-4:00pm and every other Friday 8:00am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bhavesh M Mehta/
Supervisory Patent Examiner, Art Unit 2624
/Bernard Krasnic/
November 4, 2009